

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

AF

Inventor(s): Ligy Kurian et al.

Confirmation No.: 6120

Application No.: 09/639,960

Examiner: Callahan, Paul E.

Filing Date: August 16, 2000

Group Art Unit: 2137

Title: WIRELESS COMMUNICATION SYSTEM UTILIZING ANTENNA DONGLE

Mail Stop Appeal Brief-Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF

Sir:

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on May 2, 2005.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) \$500.00.

~~07/11/2005 MWLDGE1 00000025 002025 09639960~~

~~01-FC-1401~~

~~500.00 DA~~

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

() (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

- () one month \$120.00
- () two months \$450.00
- () three months \$1020.00
- () four months \$1590.00

() The extension fee has already been filled in this application.

(X) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **08-2025** the sum of \$500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

(X) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: 07/05/2005

OR

() I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number _____ on _____

Respectfully submitted,

Ligy Kurian et al.

By

Tait R. Swanson

Attorney/Agent for Applicant(s)

Reg. No. 48,226

Date: 07/05/2005

Number of pages:

Typed Name: Christina Hartline

Signature:

BEST AVAILABLE COPY

Telephone No.: 281-970-4545



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Ligy Kurian et al.

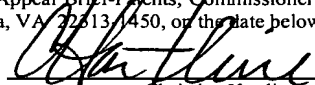
Serial No.: 09/639,960

Filed: August 16, 2000

For: WIRELESS COMMUNICATION
SYSTEM UTILIZING ANTENNA
DONGLE

§
§ Group Art Unit: 2137
§
§
§ Examiner: Callahan, Paul E.
§
§
§ Atty. Docket:
§ COMP:0080/FLE/SWA/EUB
§ 200301718-1

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING	
37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
July 5, 2005	
Date	Christina Hartline

APPEAL BRIEF PURSUANT TO 37 C.F.R. §§ 41.31 AND 41.37

This Appeal Brief is being filed in furtherance of the Notice of Appeal mailed on May 2, 2005, and received by the Patent Office on May 5, 2005. As a preliminary matter, Appellants respectfully note that the Advisory Action mailed June 20, 2005, incorrectly indicated that the Notice of Appeal was filed on April 28, 2005. Appellants have enclosed courtesy copies of the Notice of Appeal and the accompanying return postcard, which clearly indicate that the Notice of Appeal was filed on May 2, 2005, and received by the Patent Office on May 5, 2005. Consequently, Appellants respectfully submit that the present brief is timely.

07/11/2005 MWOLDGE1 00000026 082025 09639960

01 FC:1402 500.00 DA

~~07/11/2005 MWOLDGE1 00000025 09639960~~

~~01 FC:1401 500.00 DA~~

1. **REAL PARTY IN INTEREST**

The real party in interest is Hewlett-Packard Company by virtue of the Assignment to Compaq Computer Corporation, a subsidiary of Hewlett-Packard Company, recorded at reel 011127, frame 0412, and dated August 16, 2000. Accordingly, Hewlett-Packard Company, as the parent company of the Assignee of the above-referenced application, will be directly affected by the Board's decision in the pending appeal.

2. **RELATED APPEALS AND INTERFERENCES**

Appellants are unaware of any other appeals or interferences related to this Appeal. The undersigned is Appellants' legal representative in this Appeal.

3. **STATUS OF CLAIMS**

Claims 1-9, 11-15, 17-28, and 31-33 are currently pending, are currently under final rejection and, thus, are the subject of this appeal. Appellants canceled claims 10, 16, 29, and 30 in a previous communication.

4. **STATUS OF AMENDMENTS**

Appellants submitted amendments to claims 32 and 33 subsequent to the Final Office Action mailed January 13, 2005. These amendments corrected minor typographical errors pointed out by the Examiner in the Final Office Action. However, in the Advisory Action mailed April 8, 2005, the Examiner refused to enter these amendments. Appellants again requested entry of these amendments in the Request for Reconsideration filed May 2, 2005. Unfortunately, the Advisory Action mailed April 20, 2005, failed to indicate whether the Examiner entered these amendments to claims 32 and 33 for purposes of appeal. As such, for the present purposes, Appellants assume these claim amendments were not entered. Upon favorable action by the Board with respect to the appealed claims, Appellants respectfully request that the Board remand the instant case to the Examiner and instruct the Examiner to enter the amendments to claims 32 and 33.

5. **SUMMARY OF CLAIMED SUBJECT MATTER**

The present invention relates generally to a wireless communication system. *See* Application, page 1, lines 7-10. More particularly, the invention relates to a novel wireless communication system that utilizes a dongle secured to an electronic device to transmit or receive data. *See id.* The present application contains five independent claims, namely, claims 1, 12, 19, 25, and 30, all of which have been improperly rejected and, thus, subject to this Appeal. The subject matter of these claims is summarized below.

With regard to the aspect of the invention set forth in independent claim 1, discussions of the recited features of claim 1 can be found at least in the below cited locations of the specification and drawings. By way of example, an embodiment in accordance with the present invention relates to an electronic system (e.g., 20) comprising at least one device (e.g., 40) having a universal serial bus (USB) port (e.g., 68) externally exposed. *See, e.g., id.* at page 8, lines 15-19; page 10, lines 4-9; page 14, lines 2-6. The system also comprises a wireless communication system for communicating information between a plurality of separate devices (e.g., 30, 32, 34, 36, 40), the wireless communication system including a dongle (e.g., 42) having an antenna (e.g., 54) for transmitting and receiving information and a USB connector (e.g., 46) for selective mating engagement with the USB port, wherein the weight of the dongle is supported entirely by the mating engagement of the USB connector to the USB port. *See, e.g., id.* at page 9, line 14 – page 11, line 3; page 11, lines 11-18.

With respect to the aspect of the invention set forth in independent claim 12, discussions of the recited features of claim 12 can be found at least in the below cited locations of the specification and drawings. By way of example, an embodiment in accordance with the present invention relates to a wireless communication system for a computer (e.g., 20). *See, e.g., id.* at page 8, lines 15-19; page 10, lines 4-14. The wireless communication system comprises a dongle (e.g., 42) having a universal serial bus (USB) connector (e.g., 46), an antenna (e.g., 54), and a transceiver (e.g., 38) coupled to the USB

connector and the antenna. *See, e.g., id.* at page 10, line 4 – page 11, line 3; page 11, lines 11-18. Additionally, the dongle is configured to enable the USB connector to be connected to a recessed USB port (e.g., 68) of a computer. *See, e.g., id.* at page 14, lines 2-6.

Further, with regard to the aspect of the invention set forth in independent claim 19, discussions of the recited features of claim 19 can be found at least in the below cited locations of the specification and drawings. By way of example, an embodiment in accordance with the present invention relates to a method for communicating information wirelessly between components (e.g., 30, 32, 34, 36, and 40) of a computer system (e.g., 20). *See, e.g., id.* at page 8, lines 15-19; page 9, line 14 – page 10, line 14. The method includes inserting a universal serial bus (USB) connector (e.g., 46) of a first communication dongle (e.g., 42) having a first antenna (e.g., 54) into a recessed USB port (e.g., 68) of a computer. *See, e.g., id.* at page 10, line 16 – page 11, line 3; page 11, lines 11-18; page 14, lines 2-6. The method also includes communicating with a first component (e.g., 30, 32, 34, 36, or 40) of the computer system via the first communication dongle. *See, e.g., id.* at page 9, line 14 – page 10, line 14.

Still further, with respect to the aspect of the invention set forth in independent claim 25, discussions of the recited features of claim 25 can be found at least in the below cited locations of the specification and drawings. By way of example, an embodiment in accordance with the present invention relates to a computer system (e.g., 20) comprising a central processing unit having an enclosure (e.g., 40), the enclosure having a first universal serial bus (USB) port (e.g., 68) and a processor (e.g., 22) disposed therein. *See, e.g., id.* at page 8, lines 15-19; page 10, lines 4-14; page 14, lines 2-6. The computer system further comprises a peripheral device (e.g., 82) having a second recessed USB port and a wireless communication system for communicating information between the central processing unit and the peripheral device. *See, e.g., id.* at page 10, lines 4-14; page 15, line 22 – page 16, line 1. In turn, the wireless communication system comprises at least one communication dongle (e.g., 42 or 80) having an antenna (e.g., 54) for transmitting and

receiving information, and a USB connector (e.g., 46) for selective mating engagement with the first USB port and the second USB port. *See, e.g., id.* at page 10, line 11 – page 11, line 3; page 15, lines 14-16. The wireless communication system also includes a data transceiver (e.g., 38) electrically coupled to the at least one communication dongle. *See, e.g., id.* at page 10, lines 4-14.

Finally, with respect to the aspect of the invention set forth in independent claim 31, discussions of the recited features of claim 31 can be found at least in the below cited locations of the specification and drawings. By way of example, an embodiment in accordance with the present invention relates to a system (e.g., 20) comprising a printer (e.g., 82) having a universal serial bus (USB) port. *See, e.g., id.* at page 15, line 22 – page 16, line 1. The system also includes a dongle (e.g., 42 or 80) operable to enable the printer to communicate wirelessly with a second device (e.g., 40). *See, e.g., id.* at page 10, line 16 – page 11, line 3; page 15, line 14 – page 16, line 1. Notably, the dongle includes a USB connector (e.g., 46) for connecting the dongle to the USB port of the printer and an antenna (e.g., 54) coupled to the USB connector. *See, e.g., id.* at page 10, line 16 – page 11, line 3; page 11, lines 11-18.

6. **GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

First Ground of Rejection for Review on Appeal:

Appellants respectfully urge the Board to review and reverse the Examiner's first ground of rejection in which the Examiner rejected claims 12-15, 19, 21, and 31-33 under 35 U.S.C. §102(a) as being anticipated by a magazine article authored by Peter L. Fuhr ("the Fuhr reference").

Second Ground of Rejection for Review on Appeal:

Appellants further respectfully urge the Board to review and reverse the Examiner's second ground of rejection in which the Examiner rejected claims 1-9 and 11 under 35 U.S.C. § 103(a) as being rendered obvious over the Fuhr reference in view of a Swedish university thesis by Anders Dahlberg et al. ("the Dahlberg et al. reference").

Third Ground of Rejection for Review on Appeal:

Additionally, Appellants respectfully urge the Board to review and reverse the Examiner's third ground of rejection in which the Examiner rejected claims 17, 18, 20, and 22-28 under 35 U.S.C. § 103(a) as being rendered obvious over the Fuhr reference alone.

7. **ARGUMENT**

As discussed in detail below, the Examiner has improperly rejected the pending claims. Further, the Examiner has misapplied long-standing and binding legal precedents and principles in rejecting the claims under Sections 102 and 103, including the refusal to fully consider affidavits and other evidence demonstrating invention of the claimed subject matter by Appellants prior to the effective dates of the references relied upon by the Examiner. Accordingly, Appellants respectfully request full and favorable consideration by the Board, as Appellants strongly believe that claims 1-9, 11-15, 17-28, and 31-33 are currently in condition for allowance.

Rule 131 Declarations and Exhibits

Appellants respectfully submit that the Examiner's present rejections are improper due to the invention of the claimed subject matter by Appellants prior to the effective dates of the Fuhr and Dahlberg et al. references. As will be appreciated by the Board, Appellants may overcome a prior art rejection by filing an appropriate declaration under 37 C.F.R. § 1.131 that establishes invention of the claimed subject matter by Appellants prior to the effective date of a reference relied upon in the rejections. As will also be appreciated, prior invention may be shown either by proving actual reduction to practice prior to the effective date of a reference or by proving conception of the invention prior to the effective date of a reference coupled with reasonable diligence from prior to the effective date of the reference to a subsequent reduction to practice.

Appellants respectfully note that conception may be established by demonstrating "possession of either the whole invention claimed or something falling within the

claim[s].” M.P.E.P. § 715.02. Due diligence may be shown by “evidence of activity aimed at reducing the invention to practice, either actually or constructively.” *English v. Ausnit*, 38 U.S.P.Q. 2d 1625 (B.P.A.I. 1993). This evidence does not have to show daily activity, but only that in the light of all circumstances, the actions taken from date of conception to reduction to practice were necessary to reduce the invention to practice. *Hybridtech v. Abbott Laboratories*, 4 U.S.P.Q. 2d 1001 (C.D. Cal. 1987).

In view of the earlier date of invention by Appellants of the subject matter disclosed and claimed in the present application, Appellants elected to remove the Fuhr and Dahlberg et al. references pursuant to 37 C.F.R. § 1.131. Accordingly, on March 14, 2005, Appellants filed declarations of inventors Ligy Kurian, James A. Jensen, and Paul L. Drew pursuant to Rule 131 (“the Rule 131 declarations”), signed by the inventors of record, to factually demonstrate that the invention disclosed and claimed in the present application was conceived prior to the effective date of either the Fuhr or Dahlberg et al. references and was coupled with reasonable diligence from prior to the effective dates of these references to the subsequent reduction to practice. Further, Appellants also filed the Rule 131 Declaration of Tait R. Swanson, Appellants’ legal representative, as further evidence of reasonable diligence in reducing the claimed subject matter to practice, and six exhibits corroborating the facts attested to in the Rule 131 declarations. Copies of these affidavits and exhibits are attached herewith for the Board’s convenience.

Although Appellants submit that the cited references most likely have later effective dates, the effective date of the Fuhr reference is no earlier than July 1, 2000 and the effective date of the Dahlberg et al. reference is no earlier than June 1, 2000. In paragraph 3 of the attached Rule 131 Declarations executed by the inventors, the inventors declare that the subject matter disclosed and claimed in the above-referenced application was conceived at least as early as May 4, 2000, which is clearly prior to the effective dates of both the Fuhr and Dahlberg et al. references. Appellants further submit that Exhibits A and C, along with the corresponding Rule 131 Declarations, are sufficient to demonstrate conception of the claimed subject matter at least as early as May 4, 2000. The drawing of

Exhibit A illustrates a wireless communication system as set forth in the claims of the above-referenced application. The illustrated features clearly demonstrate conception of the features set forth in the instant claims. Moreover, the drawing of Exhibit A is dated May 4, 2000. Further, the correspondence of Exhibit C is dated April 28, 2000, and explicitly references a “USB Wireless Antenna Dongle,” such as the one pictured in the drawing of Exhibit A.

As indicated by paragraph 4 of the attached Rule 131 Declarations executed by the inventors, the inventors declare that the invention disclosed and claimed in the present application was reduced to practice at least as early as August 16, 2000, the filing date of the above-referenced application (i.e., constructive reduction to practice). Appellants further submit that the filing receipt for the above-identified application, enclosed herewith as Exhibit B, along with the corresponding Rule 131 Declarations, is sufficient to demonstrate reduction to practice of the claimed subject matter no later than August 16, 2000.

Additionally, as indicated by paragraph 5 of the inventors’ attached Rule 131 Declarations, the inventors declare that conception of the invention at least as early as May 4, 2000, was coupled with due diligence until the reduction to practice at least as early as August 16, 2000. *See* Rule 131 Declarations of Inventors, Paragraph 5; Exhibits C-F. Appellants also submit the Rule 131 Declaration of Tait R. Swanson as further evidence of reasonable diligence in reducing the claimed subject matter to practice. Appellants further submit that Exhibits C-F, along with the corresponding Rule 131 Declarations, are sufficient to factually demonstrate reasonable diligence prior to June 1, 2000 (the earliest possible effective date of the Dahlberg et al. reference), and prior to July 1, 2000 (the earliest possible effective date of the Fuhr reference), until the reduction to practice of the claimed subject matter no later than August 16, 2000. *See id.* Specifically, Exhibit C is an electronic communication to the inventors from the Assignee dated April 28, 2000, indicating that counsel had been obtained for preparation of the above-identified patent application. Further, Exhibit D shows billing records of Appellants’

representatives, who acted with reasonable diligence in the preparation of the present application. As indicated by dated entries from May through August of 2000 in Exhibit D, the Appellants' representatives were diligently preparing the above-referenced patent application to constructively reduce the claimed invention to practice during the time period beginning immediately before the earliest possible effective date of the Fuhr and Dahlberg et al. references and continuing until the filing of the present application. *See* Exhibit D. Correspondence between Appellants and Appellants' representatives are also provided herewith as Exhibits E and F. This correspondence further evidences the reasonable diligence of Appellants and their representatives in preparing the above-identified application filed on August 16, 2000. *See* Exhibits E and F.

In the Advisory Action mailed April 8, 2005, the Examiner maintained the rejection of claims 1-9, 11-15, 17-28, and 31-33. In the attached remarks, with respect to the Rule 131 declarations and associated Exhibits, the Examiner specifically stated:

The affidavits and associated evidence filed on 3-18-2005 have been entered and considered but do not provide a showing of facts in character and of a weight sufficient as to establish reduction to practice prior to the effective date of the Fuhr or Dhalberg (*sic*) references, or conception of the invention prior to the effective date of those reference coupled with due diligence from prior to said date to a subsequent reduction to practice or to the filing of the application. *See* MPEP 715[R-2] and 37 CFR 1.131(b).

The evidence fails to support a claim of conception of the instant invention prior to the effective date of the references applied to the rejections of the claims because; the photograph that purports to be one of a the (*sic*) wireless dongel (*sic*) has no label that indicates what it is a picture of, nor does the object depicted contain any label; there is nothing associated with the photograph that indicates it is a dongle as found in the claims of the instant application; nothing in the Fee Transaction list provided (*sic*) or in the copies of the correspondence between the firm of Fletcher et al. and the Hewlett Packard / Compaq Computer Corp. unambiguously associates the work

product with the instant application; and as stated on page 10 paragraph 1 of the response, the reduction to practice is described as occurring: "...at least as early as 16 August 2000 which does not anticipate the effective dates of the references applied.

Advisory Action mailed on April 8, 2005, page 3.

In view of the Examiner's statements above, Appellants believe that the Examiner is relying solely on a cursory review of the Exhibits without any consideration of the Rule 131 Declarations. Appellants respectfully stress that the Examiner has failed to adequately consider *all* of the evidence, including the Rule 131 Declarations and associated Exhibits, and instead attacked particular Exhibits out of context of the other factual evidence provided. Appellants respectfully note that Section 715.07 of the Manual of Patent Examining Procedure states:

However, when reviewing a 37 CFR 1.131 affidavit or declaration, the examiner must consider all of the evidence presented in its entirety, including the affidavits or declarations and all accompanying exhibits, records and "notes." An accompanying exhibit need not support all claimed limitations, provided that any missing limitation is supported by the declaration itself. *Ex parte Ovshinsky*, 10 USPQ2d 1075 (Bd. Pat. App. & Inter. 1989).

In addition, Section 715.07 of the Manual of Patent Examining Procedure further states:

... averments made in a 37 CFR 1.131 affidavit or declaration do not require corroboration; an applicant may stand on his or her own affidavit or declaration if he or she so elects. *Ex parte Hook*, 102 USPQ 130 (Bd. App. 1953).

Again, based on the foregoing passages, Appellants stress that the Examiner's refusal to remove the present rejections are the direct result of an incomplete analysis of only the Exhibits without any consideration of the Rule 131 Declarations. Appellants reiterate that the Rule 131 Declarations and associated Exhibits A-F clearly evidence conception, reduction to practice, and reasonable diligence from conception to the

subsequent reduction to practice. In view of the earlier date of invention of the claimed subject matter, Appellants respectfully request that the Fuhr and Dahlberg et al. references be removed pursuant to 37 C.F.R. § 1.131.

Furthermore, in response to the Examiner's statement that "there is nothing associated with the photograph that indicates it is a dongle as found in the claims of the instant application," Appellants stress that a correlation is clearly set forth in the Rule 131 Declarations. Advisory Action mailed on April 8, 2005, Page 3. In response to the Examiner's statement that "nothing in the Fee Transaction list provided (*sic*) or in the copies of the correspondence... *unambiguously* associates the work product with the instant application," Appellants again respectfully submit that a correlation is clearly set forth in the Rule 131 Declarations. *Id.* (emphasis added). Appellants vigorously traverse both the Examiner's refusal to consider the facts averred in the Rule 131 Declarations and the imposition of a standard of evidence that is clearly inconsonant with that of 37 C.F.R. § 1.131, which does not in any way suggest that a factual exhibit must "unambiguously" prove the sworn facts of the declarations. In the present case, the correspondence and Fee Transaction list specifically references a "USB wireless antenna dongle." Exhibits C and D. For example, the e-mail of Exhibit C includes the following line: "RE: USB WIRELESS ANTENNA DONGLE." Exhibit C. By further Example, the Detail Fee Transaction File List of Exhibit D includes an entry on July 10, 2000, which describes work performed to "Revise patent application claims for USB wireless Antenna Dangle (*sic*)." Exhibit D. In addition, the Detail Fee Transaction File List includes a gray area at the bottom of the dated entries that is clearly labeled "USB Wireless antenna Dongle." *Id.* These aspects particularly demonstrate a clear correlation between the various Exhibits and the claimed invention, as acknowledged by the Examiner in the interview of April 26, 2005.

Accordingly, in view of the earlier conception and reasonable diligence from immediately before the effective dates of the cited references up until the reduction to practice, Appellants respectfully request that the Board instruct the Examiner to remove the

Fuhr and Dahlberg et al. references from consideration and withdraw all outstanding rejections based on these cited references.

A. **Ground of Rejection No. 1:**

The Examiner rejected claims 12-15, 19, 21, and 31-33 under 35 U.S.C. § 102(a) as being unpatentable over the Fuhr reference. Appellants respectfully traverse this rejection.

Legal Precedent

Anticipation under Section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under Section 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Moreover, the prior art reference also must show the *identical* invention “*in as complete detail as contained in the ... claim*” to support a *prima facie* case of anticipation. *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989) (emphasis added). Accordingly, Appellants need only point to a single element not found in the cited reference to demonstrate that the cited reference fails to anticipate the claimed subject matter.

Deficiencies of the Rejection

Appellants respectfully note that the Fuhr reference fails to disclose each and every element of the present claims. Notably, the Fuhr reference fails to teach any structure that could be considered a “dongle,” let alone a dongle with the features recited by the instant claims. Furthermore, the Examiner failed to even refer to any structure in the Fuhr reference that he thought *could* be equated with the presently recited dongle. However, as discussed in detail above, Appellants invented the subject matter of claims 12-15, 19, 21, and 31-33 prior to the effective date of the Fuhr reference. As a result, any rejection of these claims based on the later Fuhr reference is untenable.

In light of the foregoing remarks, Appellants respectfully request that the Board withdraw the improper anticipation rejection in relation to claims 12-15, 19, 21, and 31-33. Additionally, Appellants respectfully request that the Board direct the Examiner to allow the instant claims.

B. Ground of Rejection No. 2:

The Examiner rejected claims 1-9 and 11 under 35 U.S.C. § 103(a) as being unpatentable over the Fuhr reference in view of the Dahlberg et al. reference. Appellants respectfully traverse this rejection.

Legal Precedent

The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (B.P.A.I. 1979). Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Accordingly, to establish a *prima facie* case, the Examiner must not only show that the combination includes all of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985). When prior art references require a selected combination to render obvious a subsequent invention, there must be some reason for the combination other than the hindsight gained from the invention itself, i.e., something in the prior art as a whole must suggest the desirability, and thus the obviousness, of making the combination. *Uniroyal Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 5 U.S.P.Q.2d 1434 (Fed. Cir. 1988).

Deficiencies of the Rejection

Appellants do not necessarily agree with the Examiner's characterizations of the Fuhr and Dahlberg et al. references, or the Examiner's motivation to combine various

elements of these cited references. However, as discussed in detail above, Appellants have presented substantial evidence that Appellants invented the subject matter of claims 1-9 and 11 prior to the effective date of the Dahlberg et al. and Fuhr references. As a result, any rejection of the present claims based on these later references is clearly improper.

In light of the foregoing remarks, Appellants respectfully request that the Board withdraw the improper obviousness rejection of claims 1-9 and 11. Additionally, Appellants respectfully request that the Board direct the Examiner to allow the instant claims.

C. **Ground of Rejection No. 3:**

The Examiner rejected claims 17, 18, 20, and 22-28 under 35 U.S.C. § 103(a) as being unpatentable over the Fuhr reference. Appellants respectfully traverse this rejection.

Deficiencies of the Rejection

Appellants respectfully note that the Fuhr reference fails to disclose each and every element of the present claims. Again, Appellants respectfully submit that the Fuhr reference fails to teach any structure that could be considered a “dongle,” let alone a dongle with the features recited by the instant claims. Furthermore, the Examiner failed to even refer to any structure in the Fuhr reference that he thought *could* be equated with the presently recited dongle. However, as discussed in detail above and demonstrated by the evidence of record, Appellants invented the subject matter of claims 17, 18, 20, and 22-28 prior to the effective date of the Fuhr reference. For these reasons, any rejection of these claims based on the later Fuhr reference cannot be sustained.

In light of the foregoing remarks, Appellants respectfully request that the Board withdraw the improper obviousness rejection in relation to claims 17, 18, 20, and 22-28.


Additionally, Appellants respectfully request that the Board direct the Examiner to allow the instant claims.

Conclusion

Appellants respectfully submit that all pending claims are in condition for allowance. However, if the Examiner or Board wishes to resolve any other issues by way of a telephone conference, the Examiner or Board is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

Date: July 5, 2005


Tait R. Swanson
Reg. No. 48,226
(281) 970-4545

CORRESPONDENCE ADDRESS
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

8. **APPENDIX OF CLAIMS ON APPEAL**

Listing of Claims:

1. An electronic system, comprising:
at least one device having a universal serial bus (USB) port externally exposed;
a wireless communication system for communicating information between a plurality of separate devices, the wireless communication system comprising:
a dongle having an antenna for transmitting and receiving information and a USB connector for selective mating engagement with the USB port, wherein the weight of the dongle is supported entirely by the mating engagement of the USB connector to the USB port.
2. The system as recited in claim 1, further comprising:
a transmitter electrically coupled to the antenna.
3. The system as recited in claim 2, wherein the transmitter is disposed within the dongle.
4. The system as recited in claim 1, further comprising:
a receiver electrically coupled to the antenna.
5. The system as recited in claim 4, wherein the receiver is disposed within the dongle.
6. The system as recited in claim 1, wherein the communication system utilizes a wireless communication standard.
7. The system as recited in claim 6, wherein the wireless communication standard is the bluetooth wireless communication standard.

8. The system as recited in claim 7, further comprising:
an integrated circuit, the integrated circuit being a transceiver electrically coupled to the antenna.

9. The system as recited in claim 8, wherein the integrated circuit is disposed within the dongle.

11. The system as recited in claim 8, wherein the at least one device comprises an enclosure and the integrated circuit is disposed within the enclosure and electrically coupled to the antenna in the dongle.

12. A wireless communication system for a computer, comprising:
a dongle having a universal serial bus (USB) connector, an antenna, and a transceiver coupled to the USB connector and the antenna, wherein the dongle is configured to enable the USB connector to be connected to a recessed USB port of a computer.

13. The system as recited in claim 12, wherein the transceiver is a integrated circuit utilizing bluetooth technology.

14. The system as recited in claim 13, wherein the integrated circuit is disposed within the dongle.

15. The system as recited in claim 14, the dongle having a protective cover extending over the antenna and integrated circuit.

17. The system as recited in claim 12, wherein a first dongle is coupled to the computer and a second dongle is coupled to a peripheral device.

18. The system as recited in claim 17, wherein the peripheral device is a printer.

19. A method of communicating information wirelessly between components of a computer system, comprising:

inserting a universal serial bus (USB) connector of a first communication dongle having a first antenna into a recessed USB port of a computer;

communicating with a first component of the computer system via the first communication dongle.

20. The method as recited in claim 19, further comprising:

inserting a second communication dongle into a second recessed USB port of a second component of the computer system, the second communication dongle having a second antenna to enable the second component of the computer system to communicate with the computer.

21. The method as recited in claim 19, further comprising:

disposing a first transceiver in the first communication dongle.

22. The method as recited in claim 21, further comprising:

disposing a second transceiver in the second communication dongle.

23. The method as recited in claim 19, further comprising:

configuring the first and the second communication dongles to transmit and receive information according to a wireless communication standard.

24. The method as recited in claim 23, wherein the communication dongles use bluetooth technology.

25. A computer system, comprising:
a central processing unit having an enclosure, the enclosure having a first universal serial bus (USB) port and a processor disposed therein;
a peripheral device having a second recessed USB port; and
a wireless communication system for communicating information between the central processing unit and the peripheral device, the wireless communication system comprising:
at least one communication dongle having an antenna for transmitting and receiving information, and a USB connector for selective mating engagement with the first USB port and the second USB port; and
a data transceiver electrically coupled to the at least one communication dongle.

26. The system as recited in claim 25, wherein the data transceiver is disposed within the at least one communication dongle.

27. The system as recited in claim 25, wherein the wireless communication system utilizes an industry standard for wireless communication devices.

28. The system as recited in claim 27, wherein the industry standard is bluetooth.

31. A system, comprising:
a printer having a universal serial bus (USB) port; and
a dongle operable to enable the printer to communicate wirelessly with a second device, the dongle comprising:
a USB connector for connecting the dongle to the USB port of the printer;
and
an antenna coupled to the USB connector.

32. The system as recited in claim 21, wherein the dongle comprises a transceiver coupled to the USB connector and the antenna.

33. The system as recited in claim 21, wherein the dongle uses Bluetooth wireless technology.

9. **APPENDIX OF EVIDENCE**

For the convenience of the Board, Appellants have attached copies of the declarations previously submitted under 37 C.F.R. § 1.131 of Ligy Kurian, James A. Jensen, Paul L. Drew, and Tait R. Swanson, which evidence invention of the claimed subject matter by Appellants prior to the effective dates of the Fuhr and Dahlberg et al. references cited by the Examiner during prosecution. These declarations make reference to Exhibits A-F, which are also attached herewith. Finally, Appellants have also enclosed a courtesy copy of the Notice of Appeal and the accompanying return postcard, which clearly evidence receipt of the Notice of Appeal by the United States Patent and Trademark Office on July 5, 2005.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ligy Kurian et al.

Serial No.: 09/639,960

Filed: August 16, 2000

For: WIRELESS COMMUNICATION
SYSTEM UTILIZING ANTENNA
DONGLE

§
§ Group Art Unit: 2137
§
§

§ Examiner: Callahan, Paul E.
§
§

§ Atty. Docket: COMP:0080/FLE/SWA/EUB
§ 200301718-1
§

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION OR MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. 1.6(d) or is being deposited with the U.S. Postal Service as First Class Mail in an envelope with sufficient postage addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

3-14-05
Date

Carla Deblaw
Carla Deblaw

Sir:

DECLARATION OF LIGY KURIAN UNDER 37 C.F.R. § 1.131

I, Ligy Kurian, hereby declare as follows:


1. I am a co-inventor of record of the above-referenced application.
2. My residence and business addresses are set forth below, along with my signature.
3. We conceived the subject matter disclosed and claimed in the above-referenced application at least as early as May 4, 2000. This conception is evidenced by the drawing dated May 4, 2000, which illustrates a wireless communication system comprising a dongle and USB connector as set forth in the claims of the above-referenced application. A true and correct copy of this drawing is attached hereto as Exhibit A.
4. We reduced to practice the subject matter disclosed and claimed in the above-referenced application at least as early as August 16, 2000. This reduction to practice is

evidenced by the filing date of the above-referenced application, which represents a constructive reduction to practice of the claimed invention. The filing receipt for the above-referenced application clearly indicates a filing date of August 16, 2000. A true and correct copy of the filing receipt for the above-reference application is attached hereto as Exhibit B.

5. We acted with due diligence to reduce to practice the subject matter disclosed and claimed in the above-referenced application from conception at least as early as May 4, 2000, to reduction to practice at least as early as August 16, 2000. This due diligence is evidenced by some of our communications with counsel regarding preparation of the above-referenced patent application, as well as billing records of these legal representatives, illustrating efforts to constructively reduce the claimed subject matter to practice. Specifically, Exhibit C clearly indicates that counsel was obtained to prepare a patent application in order to constructively reduce the presently claimed subject matter to practice. Upon information and belief, Exhibit D illustrates some of the efforts undertaken between May 2000 and August 2000 by our legal representatives to constructively reduce the claimed subject matter to practice. Also upon information and belief, still further evidence is provided in Exhibits E and F, which illustrate correspondence between ourselves, our legal representatives, and the Assignee of the present patent application related to the constructive reduction to practice. Redacted copies of these communications and billing records are attached hereto as Exhibits C-F.

I declare further that all statements made herein are of my own knowledge, are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Dated: 3-10-05

By: 
Ligy Kurian

Declarant's Full Name: Ligy Kurian

Country of Citizenship: U.S.A.

Residence Address: 8507 Forest Arbor Court
Houston, Texas 77095

Business Address: 20555 S.H. 249
Houston, Texas 77070

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ligy Kurian et al.

Serial No.: 09/639,960

Filed: August 16, 2000

For: WIRELESS COMMUNICATION
SYSTEM UTILIZING ANTENNA
DONGLE

§
§ Group Art Unit: 2137
§
§

§ Examiner: Callahan, Paul E.
§
§

§ Atty. Docket: COMP:0080/FLE/SWA/EUB
§ 200301718-1
§

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION OR MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. 1.6(d) or is being deposited with the U.S. Postal Service as First Class Mail in an envelope with sufficient postage addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

3-14-05

Date

Carla Deblaw

Carla Deblaw

Sir:

DECLARATION OF PAUL L. DREW UNDER 37 C.F.R. § 1.131

I, Paul L. Drew, hereby declare as follows:

1. I am a co-inventor of record of the above-referenced application.
2. My residence and business addresses are set forth below, along with my signature.
3. We conceived the subject matter disclosed and claimed in the above-referenced application at least as early as May 4, 2000. This conception is evidenced by the drawing dated May 4, 2000, which illustrates a wireless communication system comprising a dongle and USB connector as set forth in the claims of the above-referenced application. A true and correct copy of this drawing is attached hereto as Exhibit A.
4. We reduced to practice the subject matter disclosed and claimed in the above-referenced application at least as early as August 16, 2000. This reduction to practice is

evidenced by the filing date of the above-referenced application, which represents a constructive reduction to practice of the claimed invention. The filing receipt for the above-referenced application clearly indicates a filing date of August 16, 2000. A true and correct copy of the filing receipt for the above-reference application is attached hereto as Exhibit B.

5. We acted with due diligence to reduce to practice the subject matter disclosed and claimed in the above-referenced application from conception at least as early as May 4, 2000, to reduction to practice at least as early as August 16, 2000. This due diligence is evidenced by some of our communications with counsel regarding preparation of the above-referenced patent application, as well as billing records of these legal representatives, illustrating efforts to constructively reduce the claimed subject matter to practice. Specifically, Exhibit C clearly indicates that counsel was obtained to prepare a patent application in order to constructively reduce the presently claimed subject matter to practice. Upon information and belief, Exhibit D illustrates some of the efforts undertaken between May 2000 and August 2000 by our legal representatives to constructively reduce the claimed subject matter to practice. Also upon information and belief, still further evidence is provided in Exhibits E and F, which illustrate correspondence between ourselves, our legal representatives, and the Assignee of the present patent application related to the constructive reduction to practice. Redacted copies of these communications and billing records are attached hereto as Exhibits C-F.

I declare further that all statements made herein are of my own knowledge, are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Dated: MAR 14, 2005

By: Paul L. Drew
Paul L. Drew

Declarant's Full Name: Paul L. Drew

Country of Citizenship: U.S.A.

Residence Address: 26 Legend Hollow Court
The Woodlands, Texas 77382

Business Address: 20555 S.H. 249
Houston, Texas 77070

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

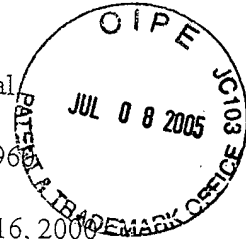
In re Application of:

Ligy Kurian et al.

Serial No.: 09/639,960

Filed: August 16, 2000

For: WIRELESS COMMUNICATION
SYSTEM UTILIZING ANTENNA
DONGLE



Group Art Unit: 2137

Examiner: Callahan, Paul E.

Atty. Docket: COMP:0080/FLE/SWA/EUB
200301718-1

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION OR MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. 1.6(d) or is being deposited with the U.S. Postal Service as First Class Mail in an envelope with sufficient postage addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

3-14-05

Date

Carla Deblaw

Carla Deblaw

Sir:

DECLARATION OF JAMES A. JENSEN UNDER 37 C.F.R. § 1.131

I, James A. Jensen, hereby declare as follows:

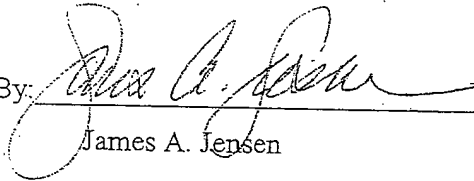
1. I am a co-inventor of record of the above-referenced application.
2. My residence and business addresses are set forth below, along with my signature.
3. We conceived the subject matter disclosed and claimed in the above-referenced application at least as early as May 4, 2000. This conception is evidenced by the drawing dated May 4, 2000, which illustrates a wireless communication system comprising a dongle and USB connector as set forth in the claims of the above-referenced application. A true and correct copy of this drawing is attached hereto as Exhibit A.
4. We reduced to practice the subject matter disclosed and claimed in the above-referenced application at least as early as August 16, 2000. This reduction to practice is

evidenced by the filing date of the above-referenced application, which represents a constructive reduction to practice of the claimed invention. The filing receipt for the above-referenced application clearly indicates a filing date of August 16, 2000. A true and correct copy of the filing receipt for the above-referenced application is attached hereto as Exhibit B.

5. We acted with due diligence to reduce to practice the subject matter disclosed and claimed in the above-referenced application from conception at least as early as May 4, 2000, to reduction to practice at least as early as August 16, 2000. This due diligence is evidenced by some of our communications with counsel regarding preparation of the above-referenced patent application, as well as billing records of these legal representatives, illustrating efforts to constructively reduce the claimed subject matter to practice. Specifically, Exhibit C clearly indicates that counsel was obtained to prepare a patent application in order to constructively reduce the presently claimed subject matter to practice. Upon information and belief, Exhibit D illustrates some of the efforts undertaken between May 2000 and August 2000 by our legal representatives to constructively reduce the claimed subject matter to practice. Also upon information and belief, still further evidence is provided in Exhibits E and F, which illustrate correspondence between ourselves, our legal representatives, and the Assignee of the present patent application related to the constructive reduction to practice. Redacted copies of these communications and billing records are attached hereto as Exhibits C-F.

I declare further that all statements made herein are of my own knowledge, are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Dated: March 10, 2005

By: 
James A. Jensen

Declarant's Full Name: James A. Jensen

Country of Citizenship: U.S.A.

Residence Address: 12714 Stanbury Park Lane
Tomball, Texas 77377

Business Address: 20555 S.H. 249
Houston, Texas 77070

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Ligy Kurian et al.

Serial No.: 09/639,960

Filed: August 16, 2000

For: WIRELESS COMMUNICATION
SYSTEM UTILIZING ANTENNA
DONGLE



Group Art Unit: 2137

Examiner: Callahan, Paul E.

Atty. Docket: COMP:0080/FLE/SWA/EUB
200301718-1

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION OR MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. 1.6(d) or is being deposited with the U.S. Postal Service as First Class Mail in an envelope with sufficient postage addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

3-14-05

Date

Carla Deblaw

Carla Deblaw

Sir:

DECLARATION OF TAIT R. SWANSON UNDER 37 C.F.R. § 1.131

I, Tait R. Swanson, hereby declare as follows:

1. I am an attorney at Fletcher Yoder and an attorney of record of the above-referenced application.

2. My residence and business addresses are set forth below, along with my signature.

3. Upon information and belief, Fletcher Yoder, in cooperation with the inventors of record, acted with due diligence to reduce to practice the subject matter disclosed and claimed in the above-referenced application from conception at least as early as May 4, 2000, to reduction to practice at least as early as August 16, 2000. This due diligence is evidenced by billing records maintained in the ordinary course of business by Fletcher Yoder. A redacted copy of billing records pertaining to the above-referenced patent application is provided herewith as Exhibit D. Specifically, Exhibit D illustrates some of the efforts undertaken

between May 2000 and August 2000 by Fletcher Yoder to constructively reduce the claimed subject matter to practice. Notably, the client identification code "COMP:0080" corresponds to the above-referenced patent application. Further, entries by timekeepers "1" and "4" listed in the third column of Exhibit D reflect work performed by attorneys Ralph A. Graham and Robert A. Van Someren, respectively, to prepare and file the above-identified patent application.

I declare further that all statements made herein are of my own knowledge, are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Dated: March 14, 2005

By: Tait R. Swanson

Tait R. Swanson

Declarant's Full Name: Tait R. Swanson

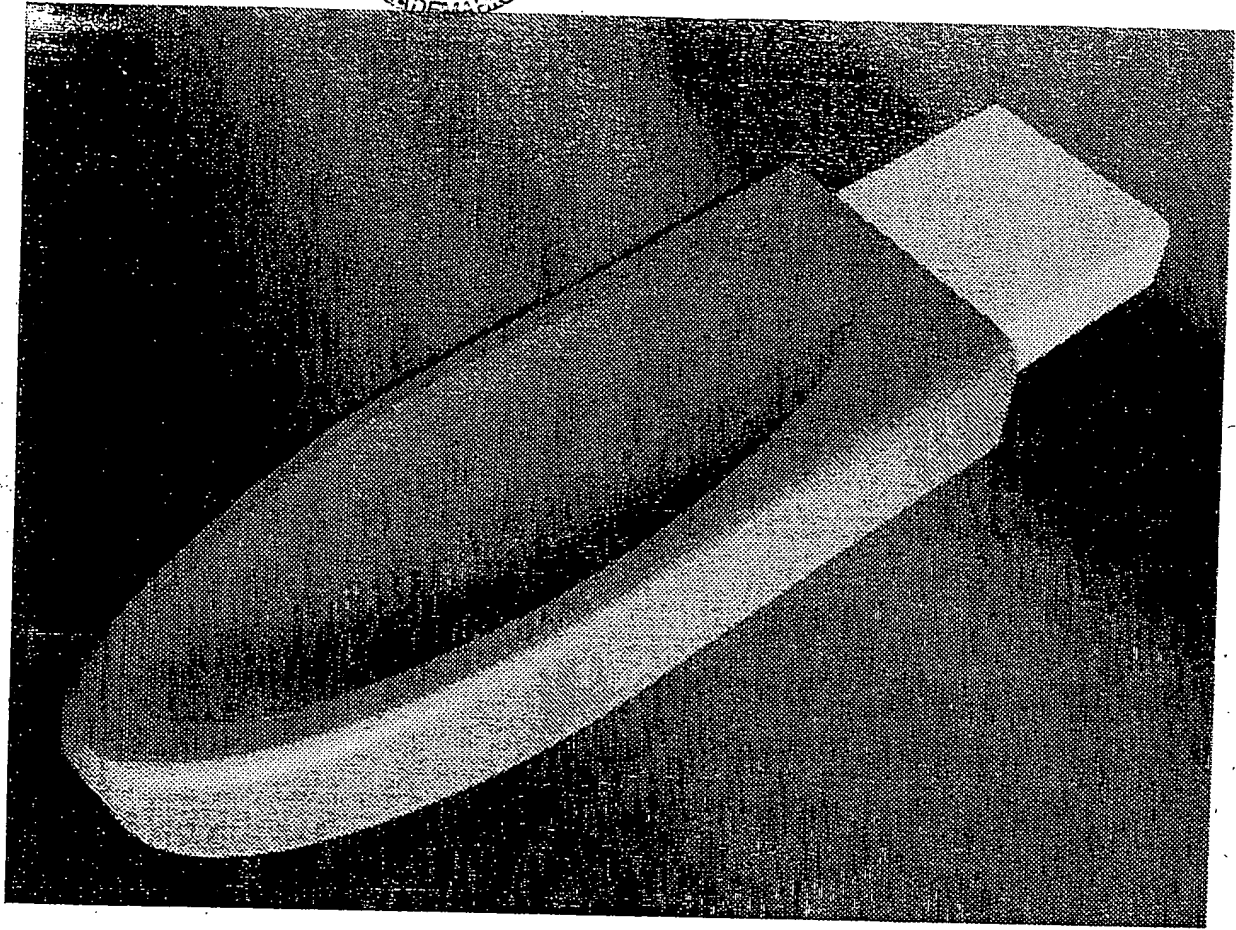
Country of Citizenship: U.S.A.

Residence Address: 9402 Brenham Court
Houston, Texas 77064

Business Address: P.O. Box 692289
Houston, Texas 77269-2289

EXHIBIT A
JUL 08 2000
PAGE 1 OF 1
PATENT & TRADEMARK OFFICE

Page 1 of 1



BEST AVAILABLE COPY

BEST AVAILABLE COPY

EXHIBIT B

Page 1 of 2

Page 1 of 3



UNITED STATES PATENT AND TRADEMARK OFFICE

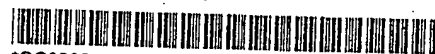
GRF

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/639,960	08/16/2000	2131	948	COMP:0080	8	30	4

 Robert A Van Someren
 Fletcher Yoder & Van Someren
 PO Box 692289
 Houston, TX 77269-2289


FILING RECEIPT



OC000000005453929

Date Mailed: 10/05/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

 Ligy Kurian, Houston, TX ;
 James A. Jensen, Tomball, TX ;
 Paul L. Drew, The Woodlands, TX ;

RECEIVED

OCT 16 2000

Fletcher, Yoder & Van Someren

Continuing Data as Claimed by Applicant

Foreign Applications

If Required, Foreign Filing License Granted 10/04/2000

Title

Wireless communication system utilizing antenna dongle

Preliminary Class

713

Data entry by : BARNES, CAROL

Team : OIPE

Date: 10/05/2000



**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

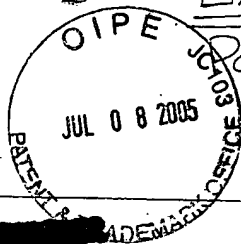
No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231



[REDACTED]
From: [REDACTED]
Sent: Friday, April 28, 2000 4:14 PM
To: Kurian, Ligy; Jensen, James; Drew, Paul
Cc: [REDACTED]
Subject: P00-2986-Commisioned

(RE: USB WIRELESS ANTENNA DONGLE)

Recently, you submitted the above referenced Invention Disclosure for review. We wish to advise you that the referenced Invention Disclosure was reviewed at a recent patent Review Committee meeting. It was approved to be prepared and filed at the US Patent and Trademark Office.

In the next few weeks, you will be contacted for questions and comments by Bob Van Someren who is associated with the firm Fletcher, Yoder & Van Someren who will be preparing the disclosure for filing at the Patent Office.

Please let us know if you have any questions.

[REDACTED] Law Department
Administrator, Patents
Tel. [REDACTED]
Fax [REDACTED]
email [REDACTED]

This email has been scanned by the MessageLabs Email Security System.
For more information please visit <http://www.messagelabs.com/email>

Page. :

Client	Trans Date	H Tmkr	P	Task Code	Rate	Hours to Bill	Amount	Ref #
Client ID COMP.0080 Hewlett-Packard Company								
COMP.0080	05/03/2000	1	A	1		1.00		ARCH
COMP.0080	05/04/2000	1	A	1		2.00		ARCH
COMP.0080	05/04/2000	4	A	1		2.00		ARCH
COMP.0080	05/05/2000	1	A	1		2.20		ARCH
COMP.0080	05/22/2000	1	A	1		2.00		ARCH
COMP.0080	06/06/2000	1	A	1		6.00		ARCH
COMP.0080	06/08/2000	1	A	1		2.00		ARCH
COMP.0080	06/12/2000	1	A	1		6.00		ARCH
COMP.0080	06/16/2000	1	A	1		6.00		ARCH
COMP.0080	06/19/2000	1	A	1		6.00		ARCH
COMP.0080	06/21/2000	1	A	1		3.00		ARCH
COMP.0080	07/10/2000	4	A	1		4.50		ARCH
COMP.0080	07/14/2000	1	A	1		5.30		ARCH
COMP.0080	08/16/2000	4	A	1				ARCH
COMP.0080								ARCH
COMP.0080								ARCH
COMP.0080								ARCH
COMP.0080								ARCH
COMP.0080								ARCH
COMP.0080								ARCH
COMP.0080								ARCH
COMP.0080								ARCH
Total for Client ID: COMP.0080								
Hewlett-Packard Company								
USB Wireless antenna Dongle								
GRAND TOTALS								

EXHIBIT E

Page 1 of 2



FLETCHER, YODER & VAN SOMEREN

A Professional Corporation

Attorneys at Law

7915 FM 1960 West, Suite 330
Houston, Texas 77070

Post Office Box 692289
Houston, Texas 77269-2289

Telephone (281) 970-4545
Facsimile (281) 970-4503

August 3, 2000

[REDACTED]

Compaq Computer Corporation
P.O. Box 692000
M110701
Houston, Texas 77269-2000

Re: U.S. Patent Application Serial No.: Unassigned
Formal Title: Wireless Computer System Having Antenna Dongle
Inventors: Ligy Kurian; James A. Jensen and Paul L. Drew
Group: CPCG Division: DPC Compaq: Houston
CPQ Ref. No.: P00-2986
Firm Ref. No.: COMP:0080

Dear [REDACTED]

Please find enclosed the final draft application and formal documents for the above-referenced patent application. Please ask the inventors to review the enclosed application for completeness and accuracy.

Following their review, please ask the inventors to sign and date the Declaration and Assignment, noting that the Assignment must be notarized at the time it is signed. Then, please return the documents to me for expedited handling and filing.

As always, should you have any questions regarding the patent application, please do not hesitate to call me at (281) 970-4545. Thank you for your assistance in this matter.

Best regards.

Sincerely yours,

Ralph A. Graham

RAG:jm
enclosures
cc: [REDACTED]

Compaq Computer Corporation
20555 SH 049
Houston, TX 77070 0698

Telephone 281 370 0670
www.compaq.com

EXHIBIT E
Page 2 of 2

Writer's e-mail: [REDACTED]

Direct dial: [REDACTED]

Facsimile: [REDACTED]

RECEIVED

AUG 16 2000

August 15, 2000

Fletcher, Yoder & Van Someren

VIA FEDERAL EXPRESS

[REDACTED]
FLETCHER, YODER & VAN SOMEREN
7915 FM 1960 West
Suite 330
Houston, TX 77070

RE: U.S. Patent Application No.: Unassigned
Formal Title: Wireless Computer System Having Antenna
Dongle
Inventors: Ligy Kurián; James A. Jensen; and Paul Drew
Compaq Ref: P00-2986 (CPCG - DPC)
Your Ref: COMP:0080

Dear [REDACTED]

Enclosed please find the Declaration and Assignment with respect to the above-referenced patent application previously forwarded to us by your office. We have had same reviewed and executed by the inventors. Also enclosed is a Power of Attorney for your use in connection with same.

Thank you for taking care of our matters and if you should have any questions or comments please do not hesitate to contact me.

Best regards,

[REDACTED]
[REDACTED]
Administrator, Patents

DHS:mg

Enclosures

COMPAQ

fletcher_formal docs_08-15-00.doc

EXHIBIT F

Page 1 of 8

Ralph Graham

From: Kurian, Ligy [REDACTED]
Sent: Wednesday, August 02, 2000 3:41 PM
To: [REDACTED]
Subject: RE: Test

got it a forwarded it to Jim as well. will reply shortly

Ligy Kurian
Program Manager, CPCG I/O & Security Modules
Phone: [REDACTED]
Fax: [REDACTED]
Pager: [REDACTED]
[REDACTED]

-----Original Message-----

From: Ralph Graham [mailto:[REDACTED]]
Sent: Wednesday, August 02, 2000 3:31 PM
To: Kurian, Ligy
Subject: Test

Ligy, I am just checking to see if you received my previous e-mail with the application attached, my computer crashed shortly after sending it so I don't know for sure if you got it. Thanks, Ralph

Ralph Graham

From: Kurian, Ligy [REDACTED]
Sent: Thursday, August 03, 2000 3:23 PM
To: Ralph Graham
Cc: 'Jensen, Jim'; 'Drew, Paul'
Subject: FW: patent Application



Patent Application
for Comp008...

Jim's comments are noted in the attached file. I have no further comments.

Paul, if you have any comments, please do so by tomorrow EOB if not sooner

else we would assume there is no comments from your side of things.

Ligy Kurian
Program Manager, CPCG I/O & Security Modules
Phone: [REDACTED]
Fax: [REDACTED]
Pager: [REDACTED]
[REDACTED]

-----Original Message-----

From: Jensen, Jim

EXHIBIT F

Page 2 of 8

Sent: Wednesday, August 02, 2000 5:05 PM
To: Kurian, Ligy
Subject: FW: patent Application

here are my comments.

Regards,
Jim Jensen
Project Manager, CPCG Digital Markets
Compaq Computer Corporation

-----Original Message-----

From: Kurian, Ligy
Sent: Wednesday, August 02, 2000 2:32 PM
To: Jensen, Jim
Subject: FW: patent Application

Jim,
Please review this as soon as you can by tomorrow EOB if possible.
Thanks,
Ligy

Ligy Kurian
Program Manager, CPCG I/O & Security Modules
Phone: [REDACTED]
Fax: [REDACTED]
Pager: [REDACTED]
[REDACTED]

-----Original Message-----

From: Ralph Graham [REDACTED]
Sent: Wednesday, August 02, 2000 2:18 PM
To: Kurian, Ligy
Cc: Drew, Paul
Subject: Application

Please review the attached patent application. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Please let me know as soon as possible if further revisions are needed
or
the application is good to go as is. Thank you very much, Ralph Graham

EXHIBIT F

Page 3 of 8

Ralph Graham

From: Drew, Paul [REDACTED]
Sent: Thursday, August 03, 2000 3:31 PM
To: 'Kurian, Ligy'; Ralph Graham
Cc: 'Jensen, Jim'
Subject: RE: patent Application

I have no further comments as well. Please proceed.

Paul Drew
Manager, Industrial Design - PC Products
Compaq Computer Corporation
ph: [REDACTED]
fx: [REDACTED]
email: [REDACTED]

-----Original Message-----

From: Kurian, Ligy
Sent: Thursday, August 03, 2000 3:23 PM
To: [REDACTED]
Cc: Jensen, Jim; Drew, Paul
Subject: FW: patent Application

Jim's comments are noted in the attached file. I have no further comments.
Paul, if you have any comments, please do so by tomorrow EOB if not sooner
else we would assume there is no comments from your side of things.

Ligy Kurian
Program Manager, CPCG I/O & Security Modules
Phone: [REDACTED]
Fax: [REDACTED]
Pager: [REDACTED]
[REDACTED]

-----Original Message-----

From: Jensen, Jim
Sent: Wednesday, August 02, 2000 5:05 PM
To: Kurian, Ligy
Subject: FW: patent Application

here are my comments.

Regards,
Jim Jensen
Project Manager, CPCG Digital Markets
Compaq Computer Corporation

-----Original Message-----

From: Kurian, Ligy
Sent: Wednesday, August 02, 2000 2:32 PM
To: Jensen, Jim
Subject: FW: patent Application

EXHIBIT F
Page 4 of 8

Jim,
Please review this as soon as you can by tomorrow EOS if possible.
Thanks,
Ligy

Ligy Kurian
Program Manager, CPCG I/O & Security Modules
Phone: [REDACTED]
Fax: [REDACTED]
Pager: [REDACTED]
[REDACTED]

-----Original Message-----

From: Ralph Graham [REDACTED]
Sent: Wednesday, August 02, 2000 2:18 PM
To: Kurian, Ligy
Cc: Drew, Paul
Subject: Application

Please review the attached patent application. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Please let me know as soon as possible if further revisions are needed
or
the application is good to go as is. Thank you very much, Ralph Graham

Ralph Graham

From: Jensen, Jim [REDACTED]
Sent: Friday, August 04, 2000 8:42 AM
To: 'Kurian, Ligy'; Ralph Graham
Cc: 'Drew, Paul'
Subject: RE: patent Application

I talked with Mr. Graham yesterday. We discussed [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

I have no more comments.
Bye

Regards,
Jim Jensen
Project Manager, CPCG Digital Markets
Compaq Computer Corporation

-----Original Message-----

From: Kurian, Ligy
Sent: Thursday, August 03, 2000 3:23 PM
To: [REDACTED]
Cc: Jensen, Jim; Drew, Paul

EXHIBIT F

Page 5 of 8

Subject: FW: patent Application

Jim's comments are noted in the attached file. I have no further comments.

Paul, if you have any comments, please do so by tomorrow EOB if not sooner

else we would assume there is no comments from your side of things.

Ligy Kurian
Program Manager, CPCG I/O & Security Modules
Phone: [REDACTED]
Fax: [REDACTED]
Pager: [REDACTED]
[REDACTED]

-----Original Message-----

From: Jensen, Jim

Sent: Wednesday, August 02, 2000 5:05 PM

To: Kurian, Ligy

Subject: FW: patent Application

here are my comments.

Regards,
Jim Jensen
Project Manager, CPCG Digital Markets
Compaq Computer Corporation

-----Original Message-----

From: Kurian, Ligy

Sent: Wednesday, August 02, 2000 2:32 PM

To: Jensen, Jim

Subject: FW: patent Application

Jim,
Please review this as soon as you can by tomorrow EOB if possible.
Thanks,
Ligy

Ligy Kurian
Program Manager, CPCG I/O & Security Modules
Phone: [REDACTED]
Fax: [REDACTED]
Pager: [REDACTED]
[REDACTED]

-----Original Message-----

From: Ralph Graham [REDACTED]

Sent: Wednesday, August 02, 2000 2:18 PM

To: Kurian, Ligy

Cc: Drew, Paul

Subject: Application

Please review the attached patent application. [REDACTED]
[REDACTED]

EXHIBIT F

Page 6 of 8

██████████
██
██████████
Please let me know as soon as possible if further revisions are needed
or
the application is good to go as is. Thank you very much, Ralph Graham

Ralph Graham

From: Ralph Graham [REDACTED]
Sent: Wednesday, August 02, 2000 3:31 PM
To: [REDACTED]
Subject: Test

Ligy, I am just checking to see if you received my previous e-mail with the application attached, my computer crashed shortly after sending it so I don't know for sure if you got it. Thanks, Ralph

Ralph Graham

From: Ralph Graham [REDACTED]
Sent: Wednesday, August 02, 2000 3:31 PM
To: [REDACTED]
Subject: Test

Ligy, I am just checking to see if you received my previous e-mail with the application attached, my computer crashed shortly after sending it so I don't know for sure if you got it. Thanks, Ralph

Ralph Graham

From: Ralph Graham [REDACTED]
Sent: Wednesday, August 02, 2000 3:31 PM
To: [REDACTED]
Subject: Test

Ligy, I am just checking to see if you received my previous e-mail with the application attached, my computer crashed shortly after sending it so I don't know for sure if you got it. Thanks, Ralph

Ralph Graham

From: Ralph Graham [REDACTED]
Sent: Wednesday, August 02, 2000 2:18 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Application

Please review the attached patent application. [REDACTED]

Please let me know as soon as possible if further revisions are needed or the application is good to go as is. Thank you very much, Ralph Graham



Patent Application
for Comp008...

EXHIBIT F↓
Page 8 of 8

Ralph Graham

From: Ralph Graham [REDACTED]
Sent: Wednesday, August 02, 2000 2:18 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Application

Please review the attached patent application. [REDACTED]

Please let me know as soon as possible if further revisions are needed or the application is good to go as is. Thank you very much, Ralph Graham



Patent Application
for Comp008...

Ralph Graham

From: Ralph Graham [REDACTED]
Sent: Wednesday, August 02, 2000 2:18 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Application

Please review the attached patent application. [REDACTED]

Please let me know as soon as possible if further revisions are needed or the application is good to go as is. Thank you very much, Ralph Graham



Patent Application
for Comp008...

Please indicate receipt of
the below-identified paper:

☐ New Application ☐ Specification: _____ Pages; Drawings: _____ Sheets

☐ Continuation ☐ Divisional ☐ CIP ☐ CPA

☒ Response to Office Action dated April 8, 2005 (13 pgs.) ☒ Final Rejection
☒ Other Transmittal Letter for Response (1 pg.); Four Rule 131 Declarations (11 pgs.);
Exhibits A-F (16 pgs.); Notice of Appeal Transmittal (1 pg.); Postcards (2)

☐ Assignment enclosed ☒ Cert. Of Timely Mailing ☐ Express Mail

Identification of Application:

Serial No. 09/639.960
Title Wireless Communication System Utilizing Antenna Dongle
Applicant Ligy Kurian et al.
Client Hewlett-Packard
File No. COMP:0080 200301718-1 Attorney FLE/SWA/EUB
Mailed 05/2/05 Filed 08/16/00



Please indicate receipt of
the below-identified paper:

☐ New Application ☐ Specification: _____ Pages; Drawings: _____ Sheets

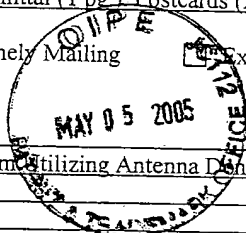
☐ Continuation ☐ Divisional ☐ CIP ☐ CPA

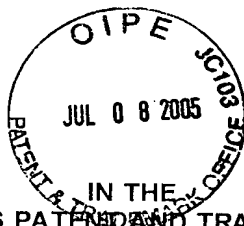
☒ Response to Office Action dated April 8, 2005 (13 pgs.) ☒ Final Rejection
☒ Other Transmittal Letter for Response (1 pg.); Four Rule 131 Declarations (11 pgs.);
Exhibits A-F (16 pgs.); Notice of Appeal Transmittal (1 pg.); Postcards (2)

☐ Assignment enclosed ☒ Cert. Of Timely Mailing ☐ Express Mail

Identification of Application:

Serial No. 09/639.960
Title Wireless Communication System Utilizing Antenna Dongle
Applicant Ligy Kurian et al.
Client Hewlett-Packard
File No. COMP:0080 200301718-1 Attorney FLE/SWA/EUB
Mailed 05/2/05 Filed 08/16/00





UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): LIGY KURIAN ET AL.

Confirmation No.: 6120

Application No.: 09/639,960

Examiner: CALLAHAN, PAUL

Filing Date: 08/16/2000

Group Art Unit: 2137

Title: WIRELESS COMMUNICATION SYSTEM UTILIZING ANTENNA DONGLE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, 01/13/2005, rejecting the following claims 1-9, 11-15, 17-28, 31-33.
The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

(X) (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

(X) one month	\$120.00
() two months	\$450.00
() three months	\$1020.00
() four months	\$1590.00

() The extension fee has already been filed in this application.

() (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **08-2025** the sum of \$620.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

(X) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, Alexandria, VA
22313-1450. Date of Deposit: 05/02/2005
OR

() I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number _____ on _____

Number of pages: 2

Typed Name: TAIT R. SWANSON

Signature: Tait R. Swanson

Respectfully submitted,

LIGY KURIAN ET AL.

By _____

TAIT R. SWANSON

Attorney/Agent for Applicant(s)

Reg. No. 48,226

Date: 05/02/2005

Telephone No.: (281) 970-4545

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

☐ **BLACK BORDERS**

☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**

☒ **FADED TEXT OR DRAWING**

☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**

☐ **SKEWED/SLANTED IMAGES**

☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**

☐ **GRAY SCALE DOCUMENTS**

☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**

☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**

☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.